

**MAINE EMS  
INVESTIGATIONS COMMITTEE MEETING  
WEDNESDAY, OCTOBER 1, 2003  
MAINE EMS CONFERENCE ROOM, AUGUSTA  
RATIFIED BY THE MAINE EMS BOARD ON DECEMBER 3, 2003**

**MEETING MINUTES**

**Present:** R. Doughty (Acting Chair), P. Knowlton, C. Pillsbury, A. Azzara, S. Dupler

**Staff:** D. White, D. Kinney

**AG:** L. Yustak Smith

**1. Call To Order:** The meeting was called to order at 11:00 a.m.

Maine EMS Board Chairperson Carol Pillsbury advised the Committee that she has appointed Board member Susan Dupler as the sixth member of the Investigations Committee. Committee members and staff welcomed Mrs. Dupler to the Committee.

**A. Additions/Deletions to the Agenda –**

**1. Investigations:**

- a. Follow-up on case #02-01
- b. Request for Investigation inre: case # 03-18.
- c. Follow-up on case # 02-05

**2. Investigations**

**A. Investigations:**

- a. Follow-up on case #02-01
- b. Request for Investigation inre: case # 03-18.

The Committee entered executive session for the purpose of discussing investigations:

***Motion: To enter executive session for the purpose of discussing investigations (Pillsbury; Knowlton – motion carries)***

The Committee entered executive session at 11:01 a.m. and exited at 11:59 p.m.

***Motion: Inre: Case 02-01, that the Committee directs the Attorney General Representative to negotiate terms of a consent agreement in accordance with guidelines discussed in executive session. Further, should the Attorney General Representative notify Maine EMS staff that a consent agreement could not be successfully negotiated with the licensee, that the case be referred to a fair hearing before the Board (Doughty; Azzara – motion carries).***

***Motion: To initiate an investigation of the subject of case 03-18 (Doughty; Knowlton – motion carries)***

***Motion: That a final notification letter be sent to the subject of case #02-05, advising subject that if a consent agreement is not executed in this matter within 10 days of subject's receipt of the notification letter, that the case will be referred to the Maine EMS Board for fair hearing, and that subject has the opportunity to execute a consent agreement until the fair hearing convenes (Doughty; Knowlton – motion carries).***

### **3. Applications**

#### **A. Kevin Duross**

Applicant Duross reported a 1995 Theft/Burglary (as a juvenile), an April 1999 violation for Possession of Marijuana and a September 2001 conviction for Assault, Class D. Mr. Howell provided documentation concerning the offense.

***Motion: That the committee finds that Applicant violated Maine EMS Rules (dated July 1, 2000) §11.A.5 – Acting in ways which are dangerous or injurious to the public; that the violation is based upon Applicant's 1995 juvenile adjudication for Burglary and Theft, an April 1999 violation for Possession of Marijuana and a September 2001 conviction for Assault, Class D; that mitigating circumstances exist in that that Applicant was honest in his disclosure of the past adjudication, violation and conviction, Applicant accepted responsibility for his actions and expressed remorse for his past conduct, Applicant was cooperative with Maine EMS in this matter and Applicant provided letters of recommendation from the community and support by the chief of the fire department with whom he is associated; that the Committee proposes to resolve this matter by consent agreement with Applicant; that provisions of the consent agreement include that Licensee will pay the sum of \$105.00 to Maine EMS to cover the cost of State Bureau of Identification checks to be performed during the term of the consent agreement; and that Licensee will surrender any EMS license issued should the applicant be charged with any crime in any state or Federal court, term of said consent agreement to be 3 years (Doughty; Pillsbury - motion carries).***

### **4. Other - Criminal Convictions Matrix**

D. White distributed a draft of the *Maine EMS Criminal Convictions and Violations Guidelines* that has been developed to assist staff in determining the disposition of applicants with criminal convictions or civil violations. The Committee reviewed the document and made changes in the areas of Class B & C drug convictions, and subsequently approved the document as amended.

Staff will provide a copy of the revised document to committee members and Maine EMS staff.

## **5. Next Meeting**

The next meeting was scheduled for Wednesday, November 5, 2003 after the Maine EMS Board meeting.

**6. Adjourn** – The meeting was adjourned at 12:40 p.m.

Respectfully submitted,

Drexell White, Licensing Agent